



Control Number: 50664



Item Number: 226

Addendum StartPage: 0



PROJECT NO. 27706

**REPORTS OF THE ELECTRIC
RELIABILITY COUNCIL OF TEXAS**

§
§
§

**PUBLIC UTILITY COMMISSION
OF TEXAS**

PROJECT NO. 50664

**ISSUES RELATED TO THE STATE
OF DISASTER FOR CORONAVIRUS
DISEASE 2019**

§
§
§

**PUBLIC UTILITY COMMISSION
OF TEXAS**

**ELECTRIC RELIABILITY COUNCIL OF TEXAS, INC.'S NOTICE OF OCTOBER 12
AND OCTOBER 13, 2020 URGENT TELECONFERENCE MEETINGS OF THE
ERCOT NOMINATING, FINANCE AND AUDIT, AND HUMAN RESOURCES AND
GOVERNANCE COMMITTEES AND BOARD OF DIRECTORS**

Given the continuing Coronavirus Disease 2019 (COVID-19) pandemic situation and the inability to accommodate medium to large in-person groups and maintain proper social distancing requirements, Electric Reliability Council of Texas, Inc. (ERCOT) hereby provides notice to the Public Utility Commission of Texas (Commission) that it has scheduled urgent teleconference meetings of the ERCOT Board of Directors' (Board) Nominating Committee at 9:00 a.m., the Finance and Audit Committee at 10:30 a.m., and the Human Resources and Governance Committee at 2:00 p.m. on October 12, 2020, and the Board at 9:00 a.m. on October 13, 2020, to consider urgent, time-sensitive matters that cannot wait until the next regularly-scheduled Finance and Audit Committee, Human Resource and Governance Committee and Board meetings on December 7-8, 2020, or the next regular Nominating Committee meeting scheduled as needed. In addition, ERCOT has cancelled the in-person, regularly-scheduled meetings of the Board and its Committees originally scheduled for October 12-13, 2020.

I. COVID-19 Pandemic Outbreak and Mandatory Social Distancing

The circumstances surrounding the international COVID-19 outbreak and the resulting need for ERCOT to conduct meetings via teleconference are set forth in ERCOT's April 6, 2020 *Notice of April 14, 2020 Urgent Teleconference Meeting of the ERCOT Board of Directors* in these Projects (April 6, 2020 Notice). ERCOT continues to monitor this extremely fluid and

dynamic situation closely, and follow guidance from federal, state, and local health agencies, along with professional epidemiologist recommendations. As such, ERCOT intends to continue to restrict visitation on all ERCOT facilities for the foreseeable future. Consistent with this policy, after consultation with Technical Advisory Committee (TAC) and TAC Subcommittee leadership, on May 11, 2020, ERCOT announced via Market Notice that ERCOT and TAC leadership have determined that all stakeholder meetings will continue to operate remotely for the foreseeable future.

II. ERCOT Bylaws Allow for a Teleconference Board and Committee Meetings to Act on Urgent Matters and Discuss Non-Urgent Matters

Consistent with Public Utility Regulatory Act (PURA) Section 39.1511(b), while meetings of the Board and its Committees are generally conducted in person, ERCOT Bylaws Sections 4.6(c) and 4.7(e) provide that meetings may be held via teleconference, but that the Board may only take action on urgent matters. ERCOT Bylaws Section 4.6(b) defines “urgent matters” as follows:

For purposes of these Bylaws, an urgent matter is an emergency or public necessity (including but not limited to an imminent threat to public health and safety or to the ERCOT market or system), or a reasonably unforeseen situation. A matter shall be considered an urgent matter if it would be difficult or impossible for a quorum of Directors or subcommittee members to physically convene in one location and failure to consider the matter without delay may result in operational (including but not limited to those activities and functions affecting the ERCOT market or system), regulatory, legal, organizational or governance risk.

Given the national health recommendations, local and state orders and directives that have been issued (particularly with regard to physical social distancing in enclosed indoor areas), the speed of the transmission of COVID-19, and the serious health concerns about travel and crowds, ERCOT believes an in-person meeting of the Board or any of its Committees could pose a significant public health and safety risk and it would be difficult or impossible for a quorum of Directors or subcommittee members to physically convene in one location, and therefore the conditions for an urgent meeting have been met in accordance with the Bylaws. Accordingly, ERCOT has decided to hold urgent meetings only via teleconference of the Nominating Committee at 9:00 a.m., the Finance and Audit Committee at 10:30 a.m., and the Human Resources and Governance Committee at 2:00 p.m. on October 12, 2020; and the Board at 9:00 a.m. on October 13, 2020. The voting items for the urgent Committee and Board meetings will

be limited to urgent, time-sensitive matters that if not considered until the regularly-scheduled December 7-8, 2020 Finance and Audit and Human Resource and Governance Committee meetings and Board meeting (and, in the case of the Nominating Committee, the next regular meeting scheduled as needed) may result in operational (including but not limited to those activities and functions affecting the ERCOT market or system), regulatory, legal, organizational or governance risk.

As required by PURA Section 39.1511(c), ERCOT will make live Internet video of the general session (public portion) of each meeting publicly accessible without charge for viewing from an Internet website. Specifically, the teleconferences will be hosted by ERCOT through Cisco Webex, which will be simultaneously webcast live by ERCOT's vendor, Swagit Productions, to the public on the ERCOT website at no charge. In addition, ERCOT expects to utilize Webex's video functionality as part of these teleconferences, assuming no technical difficulties; and this video will be webcast live to the public. To address public participation and comment on the agenda items of the urgent Board and Committee meetings, ERCOT will provide the public with the Assistant Corporate Secretary's email address for the purpose of notifying ERCOT staff by 5:00 p.m. on October 9, 2020, of any person's desire to provide commentary at the Board or Committee meetings in connection with any specific agenda items. Upon receipt of the email, ERCOT staff will provide instruction regarding the way to participate in the relevant teleconference(s) and direction not to share the teleconference participation information or the participant's unique identifier (which is necessary for identification of online speakers and for the orderly administration of remote participant communication during the teleconferences).

Respectfully Submitted,

/s/ Chad V. Seely

Chad V. Seely
Vice President and General Counsel
Texas Bar No. 24037466
(512) 225-7035 (Phone)
(512) 225-7079 (Fax)
chad.seely@ercot.com

Vickie G. Leady
Assistant General Counsel
Texas Bar No. 08122090
(512) 275-7436 (Phone)
(512) 225-7079 (Fax)
vickie.lead@ercot.com

ERCOT
7620 Metro Center Drive
Austin, Texas 78744

ATTORNEYS FOR ELECTRIC RELIABILITY
COUNCIL OF TEXAS, INC.